

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FRANK QUAGLIA,

Plaintiff,

v.

BRAVO NETWORKS, NATIONAL
BROADCASTING COMPANY, INC.,
doing business as NBC, RAINBOW
PROGRAMMING HOLDINGS, INC.
and DOES 1-10,

Defendants.

Civil Action No. 04-10460-RWZ

**PLAINTIFF'S MOTION TO COMPEL DEFENDANTS
TO PROVIDE THE FOLLOWING:**

1. **Full disclosure of Profit and Loss Statement and any relevant documents which show the specifics of how much money The It Factor series generated (2000 to 2005) from commercial advertising sales, product placement, merchandising, and ANY AND ALL revenues that were generated from the It Factor Series.**

- a. All statements and analyses for all profits and losses for *The It Factor* television series from 2000 to the present.
- b. All documents relating to net profits for *The It Factor*, including books, ledgers, and quarterly and annual financials from 2000 to the present.
- c. All internal, external, and certified audits and associated work papers for *The It Factor* from 2000 to the present.

See Plaintiff's First Request For Production of Documents to Bravo Networks:
#s 5, 6, 13, 18, 31, 32

See Plaintiff's First Set of Interrogatories to Bravo Networks:
#s 18,19,20,21,22


Similar Document Requests and Interrogatories were sent to NBC and Rainbow Media Holdings, but none of the defendants have produced the documentation.

2. **ALL RAW VIDEO FOOTAGE (unedited) taken for the NYC premiere episode of The It Factor. (Provide Plaintiff with VHS format)**
 - a. Bravo/NBC Attorney Daniel Kummer quoted a price of \$250 per tape it would cost Plaintiff to obtain. DuArt, in NYC, charges \$10.00 per tape and they make a profit.
 - b. Bravo/NBC should provide all the videotapes at their own expense due to their obstruction, since Plaintiff needs to review dozens of tapes at this late date, and especially since Bravo has in-house duplication services available to them.
3. **VHS copy of The It Factor, episode 1 (premiere) and episode 2 (aired versions).**

Plaintiff only has low resolution, poor quality, self-made duplication copies.
4. **Laura Pierce's 2000 Program Submission Log—Bravo.**
 - a. There may be critical notes concerning The Ultimate Audition on this log.
 - b. NBC/Bravo and Rainbow attorneys have provided DeMontreux's Program Submission Log, which had submissions dating back to 1999. (See exhibit 24, pgs. 0015-0039.)

The Plaintiff asks this court to order the Defendants to provide Plaintiff with the above mentioned items, at their own expense, to enable Plaintiff to prepare adequately for trial.

respectfully submitted,



Frank Quaglia, *pro se*

June 1, 2005

Judge Rya W. Zobel